

CITY OF NEWPORT

ORDINANCE NO. 2205

**AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF NEWPORT,
WITHDRAWING THE ANNEXED TERRITORY FROM THE LINCOLN COUNTY
LIBRARY DISTRICT, NEWPORT RURAL FIRE PROTECTION DISTRICT,
SEAL ROCK WATER DISTRICT AND ESTABLISHING ZONING FOR THE
ANNEXED TERRITORY**

Summary of Findings:

1. A request to annex real property into the City of Newport was filed by South Beach Church, an Oregon non-profit corporation, the owner of real property identified as Tax lots 01201 and 01400 of Lincoln County Assessor's Tax Map 11-11-17-DD. Concurrent with annexation, the real property will be withdrawn from the Lincoln County Library District, Newport Rural Fire Protection District, and Seal Rock Water District and the Newport Zoning Map will be amended to apply R-3/"Medium Density Multi-Family Residential" zoning to the property.
2. The Planning Commission of the City of Newport, after providing the required public notification, including the notification to the Department of Land Conservation & Development, held a public hearing on January 9, 2023, for the purpose of reviewing the proposed requests and providing a recommendation to the City Council. The Planning Commission public hearing was held in accordance with the appropriate provisions of the Newport Zoning Ordinance, and, after due deliberation and consideration of the proposed changes, the Planning Commission voted to recommend that the City Council approve the property owner's request.
3. The City Council of the City of Newport, after provision of the required public notification, held a public hearing on February 6, 2023, on the requested annexation and withdrawal, and the zoning of the property to be annexed.
4. The City Council decided after considering the recommendation of the Planning Commission, and the evidence and argument presented at the public hearing and in the record, that the application complies with the applicable criteria and voted to approve the requested annexation, withdrawal, and zoning designation.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. ANNEXATION, WITHDRAWAL, AND ZONING

A. Annexation. The following described territory (illustrated in Exhibit "A") is hereby annexed to and incorporated within the City of Newport, Oregon:

Tax lot 11-11-17-DD-01400-00

Beginning at the Southeast corner of the Southeast 1/4 of the Southeast 1/4 of Section 17, Township 11 South, Range 11 West of the Western Meridian, Lincoln County, Oregon; thence North 87° 11' 17.00" West along the southern boundary of Section 17, a distance of 1,350.781 feet to the Southwest corner of the Southeast 1/16 of the Southeast 1/4 of the Southeast 1/4 of Section 17, the Southwest corner of the described tract, Tax lot 01400, and the True Point of Beginning. Thence South 87° 11' 17.00" East along the southern boundary of Section 17, a distance of 599.120 feet; thence North 00° 00' 00.00" East a distance of 676.500 feet to the centerline of the abandoned Spruce Production Railroad as described in Book 122, page 89 as recorded in the Lincoln County Recorder's Office; thence westerly along the centerline of the abandoned Spruce Production Railroad along a left curve of length 65.964 feet with a radius of 478.340 feet whose chord length is 65.912 feet along a bearing of South 89° 40' 07.44" West; thence South 85° 43' 04.00" West a distance of 150.410 feet, more or less, to a point that is South of the Southwest corner of the John Bartow tract as described in Book 104, page 209, Deed Records; thence North 00° 38' 26.00" West a distance of 33.067 feet, more or less, to the northern boundary of the abandoned Spruce Production Railroad; thence South 85° 43' 04.00" West along the northern boundary of the abandoned Spruce Production Railroad a distance of 98.690 feet; thence westerly along a left curve of length 288.970 feet with a radius of 3,556.609 feet whose chord length is 288.903 feet along a bearing of South 83° 22' 06.84" West; thence South 00° 17' 50.00" East a distance of 627.837 feet to the Point of Beginning. Said tract contains 9.00 Acres (391,554 square feet), more or less.

Together with;

Tax lot 11-11-17-DD-01201-00

Beginning at the Southeast corner of the Southeast 1/4 of the Southeast 1/4 of Section 17, Township 11 South, Range 11 West of the Western Meridian, Lincoln County, Oregon; thence North 87° 11' 17.00" West along the southern boundary of Section 17 a distance of 751.661 feet to the Southwest corner of the described tract, Tax lot 01201, and the True Point of Beginning. Thence South 87° 11' 17.00" East along the southern boundary of Section 17 a distance of 309.00 feet; thence North 00° 00' 00.00" East a distance of 420.00 feet; thence North 87° 11' 17.00" West a distance of 309.00 feet; thence South 00° 00' 00.00" East a distance of 420.00 feet to the point of Beginning. Said tract contains 2.98 Acres (129,808 square feet), more or less.

B. **Withdrawal.** The property annexed to the City of Newport, as described in Section 1 (A) above, is hereby withdrawn from the Lincoln County Library District, Newport Rural Fire Protection District, and Seal Rock Water District, such withdrawal being deemed to be in the best interest of the City of Newport. The City of Newport also hereby elects to assume the liabilities and indebtedness, if any, against the property so withdrawn from the Lincoln County Library District, Rural Fire Protection District, and Seal Rock Water District and further elects to assume such liability to the Seal Rock Water District in the manner provided by ORS 222.520(2)(a).

C. **Zoning.** Ordinance No. 1308 (as amended) adopting the City of Newport Zoning Map is hereby amended to provide for a zone designation on the Zoning Map for the property annexed to the City of Newport by designating the subject property described in Section 1(A) with an R-3/"Medium Density Multi-Family Residential" zone designation.

Section 2. The findings attached as Exhibit "B" are hereby adopted in support of the annexation, withdrawal, and zoning designations as adopted in Section 1.

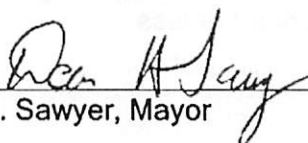
Section 3. In accordance with ORS 222.005, a copy of this ordinance shall be provided, by certified mail, to public utilities and telecommunication carriers operating within the city no later than 10 working days after passage of the ordinance.

Section 4. Once this ordinance is effective, copies of the document shall be forwarded to the Lincoln County Assessor and Oregon Department of Revenue in accordance with ORS 222.010 and ORS 308.225.

Section 5. This ordinance shall take effect 30 days after passage.

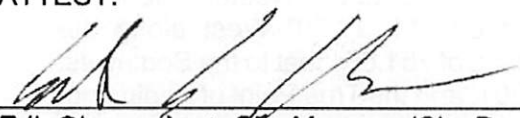
Date adopted and read by title only: February 06, 2023

Signed by the Mayor on 02-07, 2023.



Dean H. Sawyer, Mayor

ATTEST:



Erik Glover, Asst. City Manager/City Recorder

Exhibit "A"
Ordinance No. 2205

